

85<sup>th</sup> Legislative Session – 2010

Committee: House Commerce

Wednesday, February 10, 2010

P - Present  
E - Excused  
A - Absent

Roll Call

P Blake  
P Conzet  
P Fargen  
P Greenfield  
P Jensen  
P Kirschman  
P Krebs  
P Novstrup (David)  
P Nygaard  
P Pitts  
P Solberg  
P Solum, Vice-Chair  
P Rounds, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chair Rounds.

MOTION: TO APPROVE THE MINUTES OF FEBRARUY 3, 2010

Moved by: Solum  
Second by: Nygaard  
Action: Prevailed by voice vote.

MOTION: REFER HB 1165 TO LOCAL GOVERNMENT

Moved by: Solum  
Second by: Krebs  
Action: Prevailed by voice vote.

HB 1155: require the registration of certain anemometer towers used for wind energy testing purposes and to declare an emergency.

Presented by: Representative Jason Frerichs

Proponents: Terry Barber, Self, Onida  
Tim Grayson, Self, Huron  
John Barber, Self, Onida  
Wade Schultz, Self, Huron  
Heath Kretschmar, Self, Huron  
Steve Kolbeck, Public Utilities Commission

Opponents: Mike Shaw, Invenergy

MOTION: DO PASS HB 1155

Moved by: Fargen

Second by: Blake

Action: Failed by roll call vote. (5-8-0-0)

Voting Yes: Blake, Fargen, Kirschman, Nygaard, Solberg

Voting No: Conzet, Greenfield, Jensen, Krebs, Novstrup (David), Pitts, Solum, Rounds

MOTION: TO TABLE HB 1155

Moved by: Greenfield

Second by: Pitts

Action: Prevailed by roll call vote. (8-5-0-0)

Voting Yes: Conzet, Greenfield, Jensen, Krebs, Novstrup (David), Pitts, Solum, Rounds

Voting No: Blake, Fargen, Kirschman, Nygaard, Solberg

HB 1158: require the prompt payment of certain suppliers of property and services under a contract with a public agency.

Presented by: Representative Kent Juhnke

Proponents: Dawna Leitzke, SD Petroleum & Propane Marketers Association  
Wayne Lundquist, Self, Reliance  
Shawn Lyons, SD Retailers Association

Opponents: Deb Mortenson, Associated General Contractors of SD, Incorporated.

MOTION: DO PASS HB 1158

Moved by: Pitts  
Second by: Fargen  
Action: Prevailed by roll call vote. (12-1-0-0)

Voting Yes: Blake, Conzet, Fargen, Greenfield, Jensen, Kirschman, Krebs, Novstrup (David), Nygaard, Pitts, Solberg, Solum

Voting No: Rounds

HB 1217: regulate passenger elevators, escalators, and similar conveyance facilities.

Presented by: Representative Oran Sorenson  
Proponents: Gordon Eitreim, Self, Garretson  
Mark Mullins, Self, West Virginia  
Yvonne Taylor, SD Municipal League  
Opponents: Mike Houdyshell, Department of Public Safety  
Kathleen Zander, SD Grain and Feed Assn  
Shawn Lyons, SD Retailers Association

MOTION: DEFER HB 1217 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Novstrup (David)  
Second by: Fargen  
Action: Prevailed by roll call vote. (10-3-0-0)

Voting Yes: Conzet, Fargen, Greenfield, Jensen, Krebs, Novstrup (David), Nygaard, Pitts, Solum, Rounds

Voting No: Blake, Kirschman, Solberg

HB 1180: provide for the issuance of an on-sale license and malt beverage license for the county fairgrounds and to authorize municipalities and counties to issue an additional on-sale license.

Presented by: Representative Kristin Conzet  
Proponents: Ronald Jeffries, Central States Fair

MOTION: AMEND HB 1180

1180ra

On page 1 of the printed bill, delete lines 7 to 9, inclusive, and insert "Any county".

On page 2, line 1, after "." insert "The license shall be issued without regard to the population limitations established pursuant to §§ 35-4-11 and 35-4-11.1.".

Moved by: Greenfield  
Second by: Krebs  
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1180 AS AMENDED

Moved by: Krebs  
Second by: Nygaard  
Action: Prevailed by roll call vote. (11-2-0-0)

Voting Yes: Blake, Conzet, Fargen, Greenfield, Jensen, Kirschman, Krebs, Novstrup (David),  
Nygaard, Pitts, Solum

Voting No: Solberg, Rounds

MOTION: AMEND TITLE OF HB 1180

1180sta

On page 1, line 2, of the printed bill, delete "municipalities and".

Moved by: Greenfield  
Second by: Nygaard  
Action: Prevailed by voice vote.

HB 1173: provide certain provisions concerning the notice and interconnection of video programming and rural telephone service and to establish certain penalties.

Presented by: Representative Deb Peters  
Proponents: Dave Gerdes, Midcontinent Communications  
Rolayne Wiest, Public Utilities Commission  
Opponents: Greg Dean, SD Telecommunications Association

MOTION: AMEND HB 1173

On page 1 of the printed bill, delete lines 5 to 15, inclusive.

On page 2, delete lines 1 to 3, inclusive.

On page 2, line 8, delete "twenty" and insert "fifty".

On page 2, delete lines 11 to 24, inclusive.

Delete pages 3 and 4, inclusive

Moved by: Nygaard  
Second by: Jensen  
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER HB 1173 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Greenfield  
Second by: Krebs  
Action: Prevailed by roll call vote. (12-1-0-0)

Voting Yes: Blake, Conzet, Fargen, Greenfield, Jensen, Kirschman, Krebs, Novstrup (David),  
Pitts, Solberg, Solum, Rounds

Voting No: Nygaard

MOTION: ADJOURN

Moved by: Pitts  
Second by: Solum  
Action: Prevailed by voice vote.

Diane Mellan  
Committee Secretary

---

Tim Rounds, Chair